

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

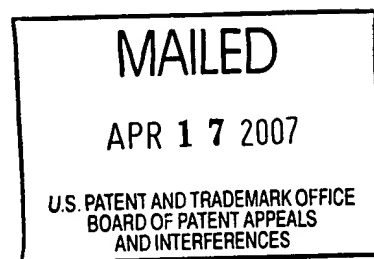
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WILLIAM M. PARROTT

Appeal 2007-0253
Application 09/385,315
Technology Center 2100

Decided: April 17, 2007



Before LANCE LEONARD BARRY, HOWARD B. BLANKENSHIP, and
MAHSHID D. SAADAT, *Administrative Patent Judges*.

SAADAT, *Administrative Patent Judge*.

STATEMENT OF THE CASE

This is a decision on appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-17, 21, and 22, which are all of the claims pending in this application. We have jurisdiction under 35 U.S.C. § 6(b).

Appellant's invention relates to a stand-alone infrared to radio frequency adapter that enables a computing device to wirelessly link to a

network without the need to install additional hardware or software into the computing device. An understanding of the invention can be derived from a reading of exemplary independent claim 1, which is reproduced as follows:

1. An adapter comprising:

an infrared transceiver to transmit and receive information to and from a computing device via an infrared data port;

a Bluetooth transceiver to transmit and receive information to and from a data system via a Bluetooth interface; and

a processor coupled to the infrared transceiver and the Bluetooth transceiver to convert information received from the infrared transceiver to a Bluetooth protocol format for transfer to the data system and to convert information received from the Bluetooth transceiver to an infrared format for transfer to the infrared data port.

The Examiner relies on the following prior art references:

Sulavuori	US 5,636,264	Jun. 3, 1997
Kobayashi	UK 2 324 920	Nov. 4, 1998
Haartsen	US 6,574,266 B1	Jun. 3, 2003
		(filed Jun. 25, 1999)

Well known in the art.

The rejections as presented by the Examiner are as follows:

1. Claims 1, 2, 4-11, 13-17, 21, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi, Sulavuori, and Haartsen.

2. Claims 3 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi, Sulavuori, and Haartsen and further in view of well known in the art.

Rather than reiterate the opposing arguments, reference is made to the Brief and the Answer for the respective positions of Appellant and the

Examiner. Only those arguments actually made by Appellant have been considered in this decision. Arguments that Appellant could have made but chose not to make in the Brief have not been considered (37 C.F.R. § 41.37(c)(1)(vii)).

We affirm.

ISSUE

To show that the Examiner erred in rejecting the claims under 35 U.S.C. § 103(a) (2004), Appellant's arguments focus on the claimed limitation related to a processor for infrared to radio frequency conversion (Br. 9-11). The issue turns on whether the combination of Kobayashi with Sulavuori teaches or suggests the claimed subject matter. Specifically, the issue is:

whether the prior art teachings disclose or suggest the claimed subject matter including a processor coupled to the infrared transceiver and the Bluetooth transceiver for converting information format between the infrared transceiver and the Bluetooth transceiver.

FINDINGS OF FACT

Appellant's claim 1 requires a processor for the conversion of information format transmitted between the infrared transceiver and the Bluetooth transceiver. This conversion is basically an infrared to radio frequency according to the Bluetooth protocol, which Appellant admits to be commonly known and used by many manufacturers of communications devices (Specification 1-2).

Kobayashi discloses an adapter for transmission between infrared and radio frequency ports in the form of option apparatus 1 (Fig. 2B, p. 12, ll. 9-

14). The adapter includes a processor in the form of control circuit 12 for controlling the signal transmission between radio transmitter/receiver circuit 11 and infrared type connection apparatus 16 (p. 13, ll. 5-13).

Sulavuori relates to low power transceiver for transmitting infrared to radio frequency units in a car phone or other handheld computing devices (col. 2, ll. 32-46) and discloses specific techniques for conversion between the infrared units and the radio frequency transmitters (col. 8, l. 47 through col. 9, l. 28).

Haartsen describes the details of Bluetooth systems for localized two-way transmission which has become the universal radio interface for consumer communications devices (col. 4, ll. 6-25).

PRINCIPLES OF LAW

The test for obviousness is what the combined teachings of the references would have suggested to one of ordinary skill in the art. *See In re Kahn*, 441 F.3d 977, 987-88, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006), *In re Young*, 927 F.2d 588, 591, 18 USPQ2d 1089, 1091 (Fed. Cir. 1991) and *In re Keller*, 642 F.2d 413, 425, 208 USPQ 871, 881 (CCPA 1981). Moreover, in evaluating such references it is proper to take into account not only the specific teachings of the references but also the inferences which one skilled in the art would reasonably be expected to draw therefrom. *In re Preda*, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968).

ANALYSIS

The Examiner correctly points out that while Appellant has disclosed a processor for converting information format between the infrared transceiver and the Bluetooth transceiver in their Specification without any specific details, Kobayashi discloses a similar processor as the control circuit

for processing the signals between the infrared and the radio frequency transceivers (Answer 10-11). We also note that the particular claimed conversion technique and the radio interface that relates to the Bluetooth technology merely relate to the conversion format, which is disclosed by Sulavuori and Haartsen.

Contrary to Appellant's arguments focusing on each reference individually for lack of teachings related to the claimed processor, we find that the Examiner has properly based the rejection on the combination of the teachings of the prior art references. In that regard, Kobayashi discloses the processor for infrared to radio frequency conversion while Sulavuori and Haartsen provide the specific techniques and format for such conversion. We also find that the Examiner has properly used the suggestions by the references for facilitating communication between different devices (Kobayashi, p. 8) and the need for universal and low power interface (Sulavuori, col. 2, ll. 32-48; Haartsen, col. 4, ll. 11-15) as the basis for suggesting the combination.

Therefore, based on the teachings of Kobayashi, Sulavuori and Haartsen outlined *supra*, and to the extent claimed, we agree with the Examiner's position that the claimed processor coupled to the infrared transceiver and the Bluetooth transceiver for converting information format between the infrared transceiver and the Bluetooth transceiver is suggested by the prior art.

Appellant makes separate arguments related to claims 7-14, 16, 17, and 22 (Br. 12-13) and for claims 3 and 12 (Br. 14). However, Appellant relies on similar arguments discussed above and fails to point to any error in the Examiner's position with sufficient particularity. Accordingly, we

remain unconvinced by Appellant's arguments that the Examiner erred in rejecting the claims under 35 U.S.C. § 103.

CONCLUSION

On the record before us, Appellant fails to show that the Examiner has erred in rejecting the claims or the rejection is not supported by a legally sufficient basis for holding that the claimed subject would have been obvious within the meaning of § 103(a). In view of our analysis above, we sustain the 35 U.S.C. § 103 rejection of claims 1, 2, 4-11, 13-17, 21, and 22 over the combination of Kobayashi, Sulavuori, and Haartsen and of claims 3 and 12 over Kobayashi, Sulavuori, and Haartsen in view of the well known in the art.

DECISION

The decision of the Examiner rejecting claims 1-17, 21, and 22 under 35 U.S.C. § 103 is affirmed.

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Application 09/385,315

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

tdl/gw

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